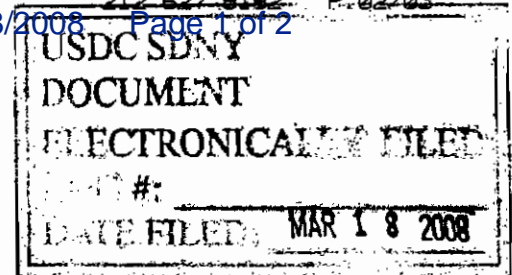


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March 17, 2008

**BY FACSIMILE (212-805-0426)**  
**AND FIRST-CLASS MAIL**

Hon. Laura Taylor Swain  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 755  
New York, NY 10007-1312

**MEMO ENDORSED**

Counsel:  
Anthony DiCaprio  
Michael Steven Smith  
David P. Horowitz\*

Re: **Malone, et al. v. New York Pressmen's Union No. 2**  
**Index No. 07 Civ. 9583 (LTS)**

Dear Judge Swain:

We represent the Defendant Union in the above matter.

By Order dated Friday March 14, 2008, the Court reinstated Plaintiffs' Motion for Leave to Amend in this matter. As indicated in our letter to the Court of March 12, 2008, the Defendant Union opposes Plaintiff's request to file a Second Amended Complaint. We hereby request a short extension of time, until April 4, 2008, in which to file our opposition to the present Motion. Plaintiffs' counsel has graciously consented to this request.

Daniel Engelstein, the Union's primary counsel in this matter, is currently out of the country on a pre-scheduled vacation. Both parties, with the other's consent, have previously requested extensions in connection with the briefing schedule for the pending Motion to Dismiss. These requests have all been granted. In addition, as reflected in our letters to the Court dated February 26<sup>th</sup> and March 12<sup>th</sup>, the Motion for Leave to Amend was held in abeyance while the Union provided additional information to Plaintiffs, and afforded them an opportunity to further modify their proposed Second Amended Complaint. As indicated above, this Motion was reinstated on March 14<sup>th</sup>.

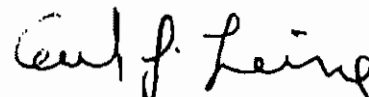
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Hon. Laura Taylor Swain  
March 17, 2008  
Page 2

Please advise us if the foregoing request for a one-week extension is acceptable.

Respectfully submitted,

LEVY RATNER, P.C.




Carl J. Levine (CL2495)  
Attorneys for Defendant Union

cc: Jennifer DeVenuti, Esq. (by facsimile)  
Michael Starr, Esq. (by facsimile)

*The request is granted.*

SO ORDERED.



3/17/2008  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE